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Limited, BNP Paribas S.A., and BNP Paribas  
(Suisse) S.A.*

**Hearing Date:** Dec. 20, 2023  
**Opposition Date:** Sept. 22, 2023  
**Reply Date:** Oct. 23, 2023

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)  
SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Chapter 7 Estate of  
Bernard L. Madoff,

Plaintiff,

v.

BGL BNP PARIBAS S.A., BNP PARIBAS  
ARBITRAGE SNC, BNP PARIBAS BANK  
& TRUST CAYMAN LIMITED, BNP  
PARIBAS S.A., and BNP PARIBAS  
(SUISSE) S.A.,

Defendants.

Adv. Pro. No. 12-01576 (CGM)

**ORAL ARGUMENT REQUESTED**

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of the BNPP Defendants' Motion to Dismiss and all prior pleadings and proceedings herein, BGL BNP Paribas S.A., individually and as successor in interest to BNP Paribas Luxembourg S.A. ("BGL BNPP"), BNP Paribas Arbitrage SNC ("BNPP Arbitrage"), BNP Paribas Bank & Trust Cayman Limited ("BNPP Cayman"), BNP Paribas S.A. ("BNPP SA"), as successor in interest to BNP Paribas Securities Services S.C.A. ("BNPP Sec. Serv.") and BNP Paribas Securities Services – Succursale de Luxembourg ("BNPP 2S Lux"), and BNP Paribas (Suisse) S.A., individually and as successor in interest to BNP Paribas Private Bank (Switzerland) S.A. and as successor in interest to United European Bank ("BNPP Suisse") (collectively, the "BNPP Defendants") will move this Court remotely via Zoom<sup>1</sup> on December 20, 2023 at 10:00 a.m. (prevailing Eastern time) for an order pursuant to Rules 12(b)(6), 12(b)(2), and 15(c) of the Federal Rules of Civil Procedure, made applicable here by Rules 7012(b) and 7015 of the Federal Rules of Bankruptcy Procedure, dismissing the Trustee's claims with prejudice.

PLEASE TAKE FURTHER NOTICE that pursuant to the agreement of the parties, the Trustee's response will be due on September 22, 2023, and the BNPP Defendants' reply will be due on October 23, 2023.

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<sup>1</sup> Judge Cecelia G. Morris, <https://www.nysb.uscourts.gov/content/chief-judge-cecelia-g-morris> (last visited July 18, 2023) ("Judge Morris is holding all hearings via Zoom.")

Dated: July 24, 2023  
New York, New York

Respectfully submitted,

/s/ Thomas S. Kessler

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